

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS**

**IN RE: JOAN M. FIGUEREO-CASTILLO and YURIDANIA D. SUERO**

**Chapter 7  
Case No. 14276**

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\*\*\*\*\* )  
**Aquilino Romero, Plaintiff** )  
 )  
**v.** )  
 )  
**Joan M. Figuereo-Castillo and** )                      **Adversary Proceeding No.**  
**Yuridania D. Suero, Defendants**)                      **19-01016**

**DEFENDANT'S ANSWER TO COMPLAINT**

**Factual Allegations**

1. Defendants lack sufficient information to form a belief as to the allegations in paragraph 1 and calls upon Plaintiff to prove the same.
2. Defendants admit.
3. Defendants deny and calls upon Plaintiff to prove the same.
4. Defendants deny and calls upon Plaintiff to prove the same.
5. Defendants deny and calls upon Plaintiff to prove the same.
6. No response required.
7. Defendants deny and calls upon Plaintiff to prove the same.
8. Defendants deny and calls upon Plaintiff to prove the same.

Wherefore the Defendants pray that this Honorable Court:

- A. Deny the Requested Relief of the Plaintiff.
- B. Dismiss the Complaint as frivolous and without merit.
- C. Declare the Defendants Owner of the Vehicle.
- D. Award legal fees to the Defendants to defend this frivolous claim.
- E. Grant such other relief a sis equitable and just.

#### **AFFIRMATIVE DEFENSES**

- 1. The Plaintiff's complaint fails to state a claim for which relief can be granted.
- 2. The Plaintiff's complaint fails for lack of service of process.
- 3. The Plaintiff's is guilty of unclean hands.
- 4. Defendants are not liable in the capacity in which they had been sued in that at all times they were exercising their best business judgment and cannot be held liable for their acts, actions or omissions pursuant to the Business Judgment Rule.
- 5. Plaintiff is entitled to nothing because they have failed to mitigate their damages.
- 6. Plaintiff is barred from recovery because of its own conduct, or by the conduct of its agents, representatives and consultants.
- 7. Plaintiff is barred from recovery because of res judicata.
- 8. The Plaintiff is guilty of laches.
- 9. Plaintiff's claims are barred, in whole or in part, because Plaintiff has not sustained loss, damage, harm or detriment in any amount.

Respectfully submitted,  
Joan M. Figuereo-Castillo and  
Yuridania D. Suero,  
By Their Attorney,

/s/ Theodore W. Beauparlant  
Theodore W. Beauparlant, Esq.  
25 Washington Square  
Haverhill, MA 01830  
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Dated: March 14, 2019

#### CERTIFICATE OF SERVICE

I hereby state the above Answer to Complaint was filed electronically to all ECF participants as well as to Attorney for the Plaintiff, John P. Carr, PO Box 161, Cohasset, MA 02025, and by mail to the same postage prepaid this date, March 14, 2019.

/s/ Theodore W. Beauparlant  
Theodore W. Beauparlant